

-6-

REMARKS

This Amendment is in response to the Office Action dated November 15, 2005. In the Office Action, claims 1-6, 8-11 and 13-19 were rejected and claims 7 and 12 were withdrawn from consideration. With this Amendment, claims 1, 13 and 19 are amended and new claim 20, which is supported by the Specification, is added. Reconsideration and allowance of claims 1-6, 8-11 and 13-20 are respectfully requested.

Claims 1, 3-6, 8, 10, 11 and 13-19 were rejected under 35 U.S.C § 102(b) as being anticipated by Schirle (U.S. Patent No. 5,898,545). Independent claims 1, 13 and 19 have been amended to include features found in FIGS. 1-2 and in the Specification on page 3, line 5 through page 4, line 8. It is respectfully submitted that Schirle fails to teach or suggest all of the elements of claims 1, 13 and 19.

Schirle fails to teach or suggest a plate comprising "an inner circumference that is in close proximity to an inner edge of the least one rotatable surface" and "an outer circumference that is adjacent the shroud surface" as claimed in claims 1, 13 and 19. Schirle also fails to teach or suggest an edge surface of the plate "that extends between the inner circumference and the outer circumference of the plate" as claimed in claims 1 and 13. Instead, Schirle teaches airflow vanes 36 that are spaced from the outer diameter of the disk edge. See col. 3, lines 33-59 and FIGS. 1-4.

In addition to claims 1, 13 and 19 being allowable over the cited reference, claims 3-6, 8, 10, 11 and 14-18 are also allowable over the cited reference as depending on allowable base claims. However, the dependent claims are also allowable for other reasons. Schirle fails to teach or suggest an edge surface characterized by "a selected one of a leading edge and a trailing edge, wherein the leading edge and the trailing edge cooperate to form a gap area to permit access for the access element" as claimed in claims 5 and 16, "wherein the ramp structure is supported by said leading edge" as claimed in claim 6, "at least a selected one of the leading and trailing edges comprises a dam comprising a localized increase in thickness" as claimed in claim 8 and "the rotatable surface is characterized as a disc surface having a innermost diameter (ID) and an outermost diameter (OD), and wherein the ramp structure is disposed adjacent a selected one of the ID and OD" as claimed in claims 10 and 17.

Claims 1-5, 9-11 and 13-19 were rejected under 35 U.S.C § 102(a) as being anticipated by Munninghoff et al. (U.S. Patent No. 6,600,625). It is respectfully submitted that Munninghoff et al.

BEST AVAILABLE COPY

-7-

fails to teach or suggest all of the elements of amended independent claims 1, 13 and 19.

Munninghoff et al. fails to teach or suggest a plate comprising "an inner circumference that is in close proximity to an inner edge of the least one rotatable surface" and "an outer circumference that is adjacent the shroud surface" as claimed in claims 1, 13 and 19. Munninghoff et al. also fails to teach or suggest an edge surface of the plate "that extends between the inner circumference and the outer circumference of the plate" as claimed in claims 1 and 13. According to FIGS. 1-7 of Munninghoff et al., there is no teaching or suggestion of a plate that has an outer circumference adjacent to a shroud surface. Deflector body 46 and deflector fingers 48 are provided outside of the outer diameter of the storage disks 24.

In addition to claims 1, 13 and 19 being allowable over the cited reference, claims 2-5, 9-11 and 14-18 are also allowable over the cited reference as depending on allowable base claims. However, the dependent claims are also allowable for other reasons. Munninghoff et al. fails to teach or suggest an edge surface characterized by "a selected one of a leading edge and a trailing edge, wherein the leading edge and the trailing edge cooperate to form a gap area to permit access for the access element" as claimed in claims 5 and 16 and "the rotatable surface is characterized as a disc surface having a innermost diameter (ID) and an outermost diameter (OD), and wherein the ramp structure is disposed adjacent a selected one of the ID and OD" as claimed in claims 10 and 17.

Claims 1-5, 8-11 and 13-19 were rejected under 35 U.S.C § 102(a) as being anticipated by Severson (U.S. Patent No. 6,549,365). It is respectfully submitted that Severson fails to teach or suggest all of the elements of amended independent claims 1, 13 and 19.

Severson fails to teach or suggest a plate comprising "an inner circumference that is in close proximity to an inner edge of the least one rotatable surface" and "an outer circumference that is adjacent the shroud surface" as claimed in claims 1, 13 and 19. Severson also fails to teach or suggest an edge surface of the plate "that extends between the inner circumference and the outer circumference of the plate" as claimed in claims 1 and 13.

In addition to claims 1, 13 and 19 being allowable over the cited reference, claims 2-5, 8-11 and 14-18 are also allowable over the cited reference as depending on allowable base claims. However, the dependent claims are also allowable for other reasons. Severson fails to teach or suggest an edge surface characterized by "a selected one of a leading edge and a trailing edge,

BEST AVAILABLE COPY

-8-

wherein the leading edge and the trailing edge cooperate to form a gap area to permit access for the access element" as claimed in claims 5 and 16, "at least a selected one of the leading and trailing edges comprises a dam comprising a localized increase in thickness" as claimed in claim 8 and "the rotatable surface is characterized as a disc surface having an innermost diameter (ID) and an outermost diameter (OD), and wherein the ramp structure is disposed adjacent a selected one of the ID and OD" as claimed in claims 10 and 17.

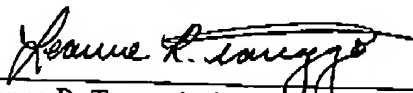
New claim 20, which is supported by FIGS. 1-2 and the Specification on page 3, line 5 through page 4, line 8, has been added. It is respectfully submitted that none of the cited references (Schirle, Munninghoff et al. or Severson) anticipate claim 20. None of the cited references teach or suggest that the "inner circumference of the plate comprises a non-continuous, circular inner circumference and the outer circumference of the plate comprises a non-continuous, circular outer circumference".

In view of the above comments and remarks, it is respectfully submitted that claims 1-6, 8-11 and 13-20 are in condition for allowance. Reconsideration and favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 
Leanne R. Taveggia, Reg. No. 53,675
Suite 1400 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3244
Phone: (612) 334-3222
Fax: (612) 334-3312

LRT/jme

BEST AVAILABLE COPY